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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,737	11/02/2001	Benedicte Bascle	2000P09024 US01	3769
7590	08/11/2005		EXAMINER	
Siemens Corporation Intellectual Property Department 186 Wood Avenue South Iselin, NJ 08830			ORTIZ RODRIGUEZ, CARLOS R	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/002,737	BASCLE ET AL.
	Examiner Carlos Ortiz-Rodriguez	Art Unit 2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 31 May 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-16 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claim 1-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luitwieler U.S Patent No. 6,912,489 in combination with Marks et al. U.S. Patent No. 6,741,245.

Regarding claims 1-2 and 11-16, Luitwieler discloses a room planning and design system, comprising: a virtual room space comprising a virtual representation of a physical room space; an object library of virtual objects, said virtual objects comprising virtual representations of equipment, machines, and objects that may be placed in a room; a user interface comprising: a first user interface component for selecting said virtual objects from said virtual library and

positioning them in said virtual room space; a second user interface component for manipulating the positions and orientations of said virtual objects within said virtual room space; a workspace comprising a physical model of said physical room space (see Luitwieler C4 L23-28, C5 L47-53, and C6 L28-66).

But, Luitwieler fails to clearly specify a physical marker objects substantially scaled to said workspace for manual placement and orientation of said markers objects in said workspace; one or more detectors for detecting information regarding the positioning of said marker objects in said workspace and transmitting said information to a visualization module; and said visualization module adapted to receive said information from said detectors and utilize said information for positioning said virtual objects within said virtual room space.

However, Luitwieler in combination with Marks et al. disclose a physical marker objects substantially scaled to said workspace for manual placement and orientation of said markers objects in said workspace; one or more detectors for detecting information regarding the positioning of said marker objects in said workspace and transmitting said information to a visualization module; and said visualization module adapted to receive said information from said detectors and utilize said information for positioning said virtual objects within said virtual room space (see Marks et al. C1 L48-55, C2 35-45, C9 L1-27, and C10 L18-32).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Luitwieler and combining it with the invention disclosed by Marks et al.. The results of this combination would lead to video-supported planning of equipment installation and/or room design.

One of ordinary skill in the art would have been motivated to do this modification in order to provide an interactive effect of navigating through a structure in a virtual-reality environment as taught by Marks et al.

Regarding claims 3-5 and 9, Luitwieler in combination with Marks et al. further disclose wherein said physical room space is a factory plant, wherein said physical room space is a medical facility, wherein at least one of said virtual objects is an MRI machine, and wherein said workspace is a table are options of the designer (see Luitweiler C7 L60-67)

Regarding claim 6, Luitwieler in combination with Marks et al. further disclose wherein said object library of virtual objects comprises data stored in a computer-readable media (see Luitwieler C6 L45-60).

Regarding claim 7, Luitwieler in combination with Marks et al. further disclose wherein each said virtual object further comprises data regarding the motion of said virtual object, useable by the user to animate said virtual object on said visual display (see Marks et al. C5 L14-25).

Regarding claim 8, Luitwieler in combination with Marks et al. further disclose a third user interface component for permitting the user to virtually move about said virtual room space (see Luitwieler C11 L15-20).

Regarding claim 10, Luitwieler in combination with Marks et al. further disclose a detector comprises at least one camera (see Marks et al. C5 L14-23).

*Citation of Pertinent Prior Art*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to video-supported planning of equipment installation and/or room design:

- a. U.S. Pat. No. 3,603,004 to Fink, which discloses architectural interior-simulating arrangement.
- b. U.S. Pat. No. 4,017,986 to Miller, which discloses Room Planning Kit.
- c. U.S. Pat. No. 5,590,062 to Nagamitsu et al., which discloses simulator for producing various living environments mainly for visual perception.
- d. U.S. Pat. No. 5,975,908 to Hulten, which discloses custom building modeling system and kit.
- e. U.S. Pat. No. 6,384,823 to Donoghue, which discloses system and method for real-time mapping and transfer of coordinate position data from a virtual computer-aided design workspace to the real workspace.

The following publications are cited to further show the state of the art with respect to video-supported planning of equipment installation and/or room design:

- f. U.S. Pub. No. 2002/0032546 to Imamura et al., which discloses method for aiding space design using network, system therefor, and server computer of the system.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the general information number at 800-786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carlos Ortiz-Rodriguez  
Patent Examiner  
Art Unit 2125

cror

August 8, 2005

*ALBERT W. PALADINI 8/8/05*  
ALBERT W. PALADINI  
PRIMARY EXAMINER